

HONORABLE EDWARD F. SHEA

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

JAMES BUSEY, an individual

Plaintiff,

vs.

RICHLAND SCHOOL DISTRICT;
RICHARD JANSON; HEATHER
CLEARY; MARY GUAY; RICK
DONAHOE; and PHYLLIS
STRICKLER,

Defendants.

Case No. CV-13-5022-EFS

AFFIDAVIT OF GREGORY
STEVENS IN SUPPORT OF
DEFENDANTS' MOTION TO
STAY AND COMPEL
ARBITRATION

STATE OF WASHINGTON)

) ss

County of Spokane)

GREGORY L. STEVENS, being first duly sworn upon oath deposes and

says:

AFFIDAVIT OF GREGORY L.
STEVENS - page 1

Evans, Craven & Lackie, P.S.
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1 I am outside general counsel for Richland School District. I make this
2 Affidavit based upon personal knowledge.
3

4 On February 21, 2013, I sent Mr. Brian Iller a letter regarding Dr. Jim
5 Busey and his separation from employment as Superintendent of Richland
6 School District. In that letter, I stated:
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8
9 In any event, we now need to determine how the
10 parties are to proceed. Under the employment
11 contract between the District and Dr. Busey he has
12 a right to a hearing before the School Board. If Dr.
13 Busey would like this hearing, please let me know
14 immediately so it can be expeditiously scheduled.
15 Secondly, and as I am sure you are aware, Dr.
16 Busey's employment contract allows him the right
17 to challenge the School District's actions through
18 arbitration. Please immediately let me know
19 whether Dr. Busey wishes to pursue this matter to
20 arbitration. If so, we need to decide whether you
21 should submit this matter to the American
22 Arbitration Association (AAA) for a listing of
23 arbitrators, or whether we should initially attempt
24 to mutually agree on an arbitrator, thereby
25 avoiding the fees associated with AAA's
26 involvement. If it is Dr. Busey's choice to proceed
27 to arbitration, it is my suggestion that we initially
28 try to select an arbitrator on our own.
29

30 A true and correct copy of my February 21, 2013 letter is attached hereto
as Exhibit A.

On February 28, 2013, I received a response letter from Mr. Iller dated
February 25, 2013. In Mr. Iller's letter, he stated that Dr. Busey "sees no point in

1 having a hearing in these circumstances, and is not obligated to do so." Mr. Iller
2 further states: "Dr. Busey does not agree to arbitrate his federal and state
3 statutory rights and claims." Mr. Iller enclosed a copy of a summons and
4 complaint and asked whether I could accept service on behalf of the named
5 defendants. A true and correct copy of Mr. Iller's February 25, 2013 letter is
6 attached hereto as Exhibit B.
7
8
9

10
11 
12 GREGORY L. STEVENS

13 SUBSCRIBED AND SWORN TO before me this 17th day of April, 2013.

14 
15 NOTARY PUBLIC in and for the

16 State of Washington

17 Residing at: Spokane

18 My Commission Expires: 11/6/2014



CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Brian J. Iller - bjj@rettiglaw.com

and that notice has been delivered by other means to:

N/A

EVANS, CRAVEN & LACKIE, P.S.

By s/ Michael E. McFarland, Jr.
MICHAEL E. McFARLAND, JR.,
#23000
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